

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON**

IN RE: ETHICON, INC., PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION <hr/> THIS DOCUMENT RELATES TO THE CASES ON THE EXHIBIT ATTACHED HERETO	Master File No. 2:12-MD-02327 MDL No. 2327 JOSEPH R. GOODWIN U.S. DISTRICT JUDGE
--	---

JOINT MOTION TO DISMISS WITH PREJUDICE AND TRANSFER TO MDL 2187

Plaintiffs, whose cases are listed on the attached Exhibit A, and Defendants, Johnson & Johnson, Inc., Ethicon, Inc., and/or Ethicon LLC (collectively, the “Ethicon Defendants”), jointly move the court to dismiss with prejudice these actions and all claims against the Ethicon Defendants which were, or could have been asserted, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii). Each party shall bear her or its own costs. The dismissal of these cases relates only to the Ethicon Defendants. Plaintiffs continue to pursue claims against C.R. Bard, Inc., and respectfully request the Court transfer this case to MDL 2187.

Respectfully submitted,

/s/ Robert J. Fenstersheib
Robert J. Fenstersheib
Fenstersheib & Associates
520 W. Hallandale Beach Blvd.
Hallandale, FL 33009
(954) 456-2488
rjf@fenstersheib.com
Counsel for Plaintiffs

/s/ William M. Gage
William M. Gage (MS Bar #8691)
Butler Snow LLP
1020 Highland Colony Parkway
Suite 1400 (39157)
P.O. Box 6010
Ridgeland, MS 39158-6010
(601) 985-4561
william.gage@butlersnow.com

/s/ Susan M. Robinson
Susan M. Robinson (W. Va. Bar #5169)
Thomas Combs & Spann PLLC

300 Summers Street
Suite 1380 (25301)
P.O. Box 3824
Charleston, WV 24338
(304) 414-1800
srobinson@tcspllc.com

Counsel for the Ethicon Defendants

EXHIBIT A

2:13-cv-31237	Mangels v. Ethicon
2:13-cv-20025	Roy v. Ethicon

CERTIFICATE OF SERVICE

I certify that on this date I electronically filed this document with the clerk of the court using the CM/ECF system, which will send notification of this filing to CM/ECF participants registered to receive service in this MDL.

/s/ William M. Gage